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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,973	09/25/2003	Ki Won Kim	1630-0425PUS1	8103
2292 7590 08/03/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
LU'ONG, ALAN H				
ART UNIT		PAPER NUMBER		
2427				
NOTIFICATION DATE		DELIVERY MODE		
08/03/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/670,973

Applicant(s)

KIM ET AL.

Examiner

ALAN LUONG

Art Unit

2427

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 11, 16, 18-20, 50-55, 60, 65 and 67-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11, 16, 18-20, 50-55, 60, 65 and 67-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 08, 2009, has been entered.

Response to Amendment

Claims 1-7, 11, 16, 18-20, 50-55, 60, 65 and 67-69 are pending. By this Amendment, claims 1-7, 11, 16, 18, 19, 50-55, 60, 65, 67 and 68 are amended, and claims 8-10, 12-15, 17, 56-59, 61-64 and 66 are cancelled without prejudice or disclaimer. No new matter is added.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1, 5, 6, 7, 50, 54 and 55** are rejected under 35 U.S.C. 102(e) as being anticipated by **Kanazawa et al.** (US Patent 6,580,870).

Regarding to claim 1: Fig. 1 of Kanazawa illustrates the reproducing system is assumed to be a personal computer support **a method for connecting a media player to a remote server** ((i.e. *a network connection unit that has a communication control section 5 and modem 6 for connecting to Web servers acting as resources on the Internet*), the method comprising:

check whether connecting to a remote server is required (i.e. *CPU is required to check the parental levels for suitable media content with children*); defined in **(col. 5 line 55 to col. 6 line 13)**. *Fig. 9 illustrates_a flowchart for the operation _the CPU 1 refers to check on the basis of parental information (or parental level) to see if more than one piece of WEB display related information (or link information) is present (step S75) and selects WEB display related information that coincides with the parental level. The CPU 1 accesses the relevant Web server and receives the Web page when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. (Kanazawa, col. 9 lines 17-47); while reproducing data recorded on an a storage medium (i.e. DVD drive 4 is a storage medium and is a drive for driving 3a DVD 40 in which AV information and an information management table (resource use information) are stored.), (col. 4 lines 49-53)*

Fig. 5 to Fig. 9 illustrate a flowchart of CPU for **analyzing connection information recorded on the storage medium to determine whether a connection to the remote server is permitted** (i.e. *CPU starts to play back A/V contents 40a and reads Web information 40b of and CPU checks Web display related information in Title information to be reproduced*) (See Kanazawa, **col. 6 line 37-col. 7 line 9**), **if the connecting to the remote server is required**, (Fig. 9 illustrates a flowchart for the operation the CPU 1 refers to check on the basis of parental information (or parental level) to see if more than one piece of WEB display related information (or link information) is present (step S75) and selects WEB display related information that coincides with the parental level. The CPU 1 accesses the relevant Web server and receives the Web page when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. (Kanazawa, **col. 9 lines 17-47**); CPU 1 checks on the basis of the telephone number information set in the attached table to see if more than one piece of WEB display related information (or link information) is present the parental information (or parental level); on the basis of the user-specified telephone number information as the attributes of the system; the related information is acquired from the network resource (that is, the server in the area set by the telephone number for example, when the user-requested related information is not present in the servers in the user-specified telephone number area, a server present in another remote area is prevented from being accessed unconditionally; (Kanazawa, **col. 9 line 49-col. 10 line 19**) meets the

limitation of claim **"the connection information comprising a list of servers to which the media player may or may not connect"** ;and

determining whether to request the connection to the remote server, based on a result of the analyzing (*i.e. CPU checks the Web information related with the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests*). (col. 6 lines 3-13 and col. 9 lines 38-42), and **performing the connection to the remote server, if the connection to the remote server is permitted, in accordance with the connection information.** (*i.e. the user requesting the display of HTML contents one by one by pressing buttons, all the HTML contents may be displayed automatically, interlocking with the playback of the DVD video. FIG. 19A, CPU executes the DVD video provided by the DVD playback control program 116 and the HTML contents provided by the WWW browser 117 are displayed simultaneously on the screen when the user presses a Web display key on a remote control unit to specify the interlocking display of HTML contents, or when the user selects a Web button displayed on a DVD video image with a remote control unit, a keyboard, or a mouse, the HTML contents related to the moving picture presently being reproduced are automatically acquired from an external WWW server and displayed on the screen as shown in FIG. 19B*) (Kanazawa, col. 15 lines 34-45 and col. 20 lines 1-28).

Regarding to claim 50: Fig. 1 of Kanazawa illustrates the reproducing system is assumed to be a personal computer containing a DVD drive as an apparatus for

connecting a media player to a remote server (i.e. a network connection unit that has a communication control section 5 and modem 6 for connecting to Web servers acting as resources on the Internet), the apparatus comprising:

a signal processor (i.e. a communication control section [5]);

a memory (i.e. RAM [2] and ROM [3]); and

a control unit (i.e. a microprocessor (CPU) 1 constituting a main control unit)

configured to control the signal processor and the memory (col. 4 lines 37-62)

, the control unit configured to check whether connecting to a remote server is required (i.e. CPU is required to check the parental levels for suitable media content

with children); defined in (col. 5 line 55 to col. 6 line 13). Fig. 9 illustrates a flowchart

for the operation _the CPU 1 refers to check on the basis of parental information (or

parental level) to see if more than one piece of WEB display related information (or link

information) is present (step S75) and selects WEB display related information that

coincides with the parental level. The CPU 1 accesses the relevant Web server and

receives the Web page when the parental level of the related information is, for

example, the adult oriented maximum level "8," if the parental level set in the

reproducing system is "7" or lower, the related information will not be reproduced even if

the user requests. (Kanazawa, col. 9 lines 17-47); while reproducing data recorded

on an a storage medium (i.e. DVD drive 4 is a storage medium and is a drive for

driving 3a DVD 40 in which AV information and an information management table

(resource use information) are stored.), (col. 4 lines 49-53)

Fig. 5 to Fig. 9 illustrate a flowchart of CPU for **analyzing connection information recorded on the storage medium to determine whether a connection to the remote server is permitted** (I.e. CPU starts to play back A/V contents 40a and reads Web information 40b of and CPU checks Web display related information in Title information to be reproduced) (See Kanazawa, **col. 6 line 37-col. 7 line 9**), **if the connecting to the remote server is required**, (Fig. 9 illustrates a flowchart for the operation the CPU 1 refers to check on the basis of parental information (or parental level) to see if more than one piece of WEB display related information (or link information) is present (step S75) and selects WEB display related information that coincides with the parental level. The CPU 1 accesses the relevant Web server and receives the Web page when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. (Kanazawa, **col. 9 lines 17-47**); CPU 1 checks on the basis of the telephone number information set in the attached table to see if more than one piece of WEB display related information (or link information) is present the parental information (or parental level); on the basis of the user-specified telephone number information as the attributes of the system; the related information is acquired from the network resource (that is, the server in the area set by the telephone number for example, when the user-requested related information is not present in the servers in the user-specified telephone number area, a server present in another remote area is prevented from being accessed unconditionally; (Kanazawa, **col. 9 line 49-col. 10 line 19**) meets the

limitation of claim **"the connection information comprising a list of servers to which the media player may or may not connect"** ;and

determining whether to request the connection to the remote server, based on a result of the analyzing (*i.e. CPU checks the Web information related with the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests*). (col. 6 lines 3-13 and col. 9 lines 38-42), **and performing the connection to the remote server, if the connection to the remote server is permitted, in accordance with the connection information.** (*i.e. the user requesting the display of HTML contents one by one by pressing buttons, all the HTML contents may be displayed automatically, interlocking with the playback of the DVD video. FIG. 19A, CPU executes the DVD video provided by the DVD playback control program 116 and the HTML contents provided by the WWW browser 117 are displayed simultaneously on the screen when the user presses a Web display key on a remote control unit to specify the interlocking display of HTML contents, or when the user selects a Web button displayed on a DVD video image with a remote control unit, a keyboard, or a mouse, the HTML contents related to the moving picture presently being reproduced are automatically acquired from an external WWW server and displayed on the screen as shown in FIG. 19B*) (Kanazawa, col. 15 lines 34-45 and col. 20 lines 1-28).

Regarding to claims 5, 6, 7, 54, 55: The method of claim 1, Kanazawa further teaches: **receiving data from the remote server includes a corresponding web**

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page information is outputting, if the connection to the remote server is performed. *(i.e. the user requesting the display of HTML contents one by one by pressing buttons, all the HTML contents may be displayed automatically, interlocking with the playback of the DVD video. FIG. 19A, CPU executes the DVD video provided by the DVD playback control program 116 and the HTML contents provided by the WWW browser 117 are displayed simultaneously on the screen when the user presses a Web display key on a remote control unit to specify the interlocking display of HTML contents, or when the user selects a Web button displayed on a DVD video image with a remote control unit, a keyboard, or a mouse, the HTML contents related to the moving picture presently being reproduced are automatically acquired from an external WWW server and displayed on the screen as shown in FIG. 19B)* (Kanazawa, **col. 5 lines 40-54, col. 8 lines 21-40, col. 15 lines 34-45 and col. 20 lines 1-28**).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **2, 3, 11, 51-52, 60** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kanazawa et al.** (US Patent 6,580,870), in view of **Tsumagari et al.** (US Pub. 2003/0161615 A1)

Regarding to claims 2, 51: The method of in claim 1, Kanazawa also teaches **wherein the connection information is included in a start-up file as HTML file (col. 11 lines 5-8)**. However, Kanazawa is silent to **“the start-up file is read prior to reproduction of the data recorded on the storage medium** and preloading the start-up file prior to the reproducing of the data recorded on the storage medium.

In an analogous art directed toward a similar problem namely improving the results from **the start-up file is read prior to reproduction of the data recorded on the storage medium** and preloading the start-up file prior to the reproducing of the data recorded on the storage medium.

Tsumagari teaches **the start-up file is read prior to reproduction of the data recorded on the storage medium** (*ENAV content can exist not only in a disc but in a server. But, at least DVDINDEX.HTM file, XHTML document for start-up may be recorded under DVD_ENAV directory on a disc*) (Tsumagari, ¶0381) and **preloading the start-up file prior to the reproducing of the data recorded on the storage medium**. (Before starting playback of DVD-Video synchronized with ENAV contents, at least one ENAV-Unit is preloaded from a disc or a server.) (Tsumagari, ¶0397).

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify **the connection information is included in a start-up file of Kanazawa with the start-up file is read and preloading the start-up file prior to the reproducing of the data recorded on the storage medium** as taught by Tsumagari upon detection of a predetermined switch trigger (a trigger generated in response to insertion/ejection of a disc or connection/disconnection of a net;

corresponding to mode switch events), mode transition is automatically made among the off-line mode, on-line mode, and mixed mode in accordance with a predetermined transition rule. (¶0021)

Regarding to claims 3, 52: The method of claim 2, Tsumagari further teach **wherein the start-up file comprises information associated with a list of additional contents to be loaded before the data recorded on the storage medium is reproduced** (i.e. the following additional functions, which are utilized by ENAV content to control DVD-Video playback; includes ENAV Buffer, XHTML+SMIL/CSS Parser, XHTML/CSS Layout Manager, ECMAScript Interpreter & DOM manipulator, SMIL Timing Engine, ENAV Interface Handler, Element Decoders, AV Renderer, Buffer Manager, and Network Manager) (Tsumagari, ¶0389, ¶0393 to ¶0404).

Regarding to claims 11, 60: the method of claim 1, Kanazawa teaches **the data recorded on the storage medium comprises audio/video (A/V) data**, Kanazawa is silent to: **additional contents associated with the A/V data, reproducing the A/V data and the additional contents in synchronization.**

In an analogous art directed toward a similar problem namely improving the results from *additional contents associated with the A/V data, reproducing the A/V data and the additional contents in synchronization.*

Tsumagari teaches **wherein the data recorded on the storage medium comprises additional contents associated with the A/V data, reproducing the A/V data and the additional contents in synchronization.** (i.e. additional functions includes ENAV Buffer Synchronized Audio Buffer and Font Buffer. The ENAV-Unit Buffer and the

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Synchronized Audio Buffer consist of (or comprises) two buffers respectively; ¶0395), *An example of synchronization (or connection or combination) between playback of ENAV contents 30 (or 30W) and playback of the video contents (chapters) will be explained below with reference to FIGS. 18A-18C., ¶0226 and ¶0254).* Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify **the data recorded on the storage medium** of Kanazawa with **additional contents associated with the A/V data, reproducing the A/V data and the additional contents in synchronization** as taught by Tsumagari; to provide the navigation engine is configured to play back the navigation contents of the disc, and is configured to control playback of the navigation contents in connection with the AV contents according to the navigation contents. (¶0019)

5. Claims **16, 18-20, 65, 67-69** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanazawa et al ; in view of US Pub. No.2004/0073941 A1 issued to Ludvig et al.

Regarding to claim 16, 65: the method of claim 1, Kanazawa teaches “**the connection information comprising a list of servers to which the media player may or may not connect**”; see claim 1 rejection: (Kanazawa, **col. 9 line 49-col. 10 line 19**). However, Kanazawa does not teaches *wherein the connection information comprises information about at least one server to which the media player may or may not connect to retrieve additional contents associated with the data recorded on the storage medium.*

Ludvig, in the field of web content conversion, teaches **wherein the connection information** (i.e. *a source content 112 representing a walled garden into an iWPG*) **comprises information about at least one server to which the media player** (i.e. the source download/transcode server 216, downloads and dynamically converts source content 112 representing a walled garden into an iWPG for substantially optimized bandwidth utilization during delivery to set-top box(es) 116; Server 216 downloads source content 112 (FIG. 1) from one or more external data sources 104. The server may rely on Internet, intranet, and/or Virtual Private Network (VPN) access (e.g., via a local provider) from within the headend to fetch and receive the source content. **Ludvig, Fig. 2, ¶0034, ¶0039) may or may not connect to retrieve additional contents** (The process of converting downloaded source content 112 into an iWPG 107 is called transcoding. Because transcoding is performed at the head-end 102, source content author(s) do not need pre-existing knowledge of the data transport infrastructures of a head-end or the target clients 116; a single instance of authored source content 112 can be dynamically converted, by any number of head-ends 102, to iWGP 107 for delivery to any number of clients, regardless of whether the respective head-ends utilize different respective server, client, and/or digital signal transport infrastructures; **see**

Ludvig, Fig. 2, ¶0035); associated with the data recorded on the storage medium (i.e. iWGP navigator module 124 has been downloaded into memory 522 of set-top box 116, along with APIs 504 for interfacing the iWGP navigator module to operating system 502 of the set-top box; **see US'941, ¶0092), (i.e. iWGP navigator 124 enables the subscriber to** browse iWGP(s) 107 broadcast on the cable network. The user can launch the navigator from other co-hosted set-top applications, such as from a menu within the EPG. Once an iWGP is launched, the subscriber may navigate from one still 232 to another still 232 and from one program 107 to another program 107; **Ludvig, ¶0093).**

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify *the connection information comprising a list of servers to which the media player may or may not connect* of Kanazawa with the connection information about at least one server to which the media player connect to retrieve additional contents associated with the data recorded on the storage medium as taught by Ludvig; in order to support design and transformation activities are generally labor intensive and time consuming. Note, these design and transformation activities must be performed by the WWW content provider prior to transferring any information (i.e., Web content that has been converted by WWW content providers into a different data format for broadcast to subscribers) to a cable head-end for subsequent distribution to viewers.

Regarding to claims 18, 67: The method of claim 1, Kanazawa teaches access information as the information that controls access to information available on at least one server (i.e. URL of Web server). (Kanazawa, col. 5 lines 47-63)

However, Kanazawa fails to teach **wherein the connection information comprises at least one entry associated with loading information that controls access to information available on at least one server.**

Ludvig, in the field of web content conversion, teaches wherein the walled-garden file as **the connection information** comprises at least one entry associated with loading information (the source download/transcode server 216 downloads and dynamically converts source content 112 representing a walled garden into an iWPG for substantially optimized bandwidth utilization during delivery to set-top box(es) 116. Server 216 downloads source content 112 (FIG. 1) from one or more external data sources 104. The server may rely on Internet, intranet, and/or Virtual Private Network (VPN) access (e.g., via a local provider) from within the headend to fetch and receive the source content; that controls access to information available on the at least one server (**see Ludvig, ¶0034**). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the information that controls access to information available on at least one server of Kanazawa with the connection information about at least one server to which the media player connect to retrieve additional contents associated with the data recorded on the storage medium as taught

by Ludvig; in order to support design and transformation activities are generally labor intensive and time consuming. Note, these design and transformation activities must be performed by the WWW content provider prior to transferring any information (i.e., Web content that has been converted by WWW content providers into a different data format for broadcast to subscribers) to a cable head-end for subsequent distribution to viewers.

Regarding to claims 19, 68: In the claim 18 above; Ludvig also teaches a **condition for loading the information available on the at least one server** (i.e. The download server/transcoder component (216 of Fig. 2) *(a single instance of authored source content 112 can be dynamically converted, by any number of head-ends 102, to iWGP 107 for delivery to any number of clients, regardless of whether the respective head-ends utilize different respective server, client, and/or digital signal transport infrastructures; see Ludvig, ¶0035, ¶0039)*

Regarding to claims 20, 69: In the claim 19 above; **wherein the loading information comprises at least one of a language** (i.e. *a markup language, script language, or the like, data that this playback control information refers to, and so forth*) *used to add interactive features from the Internet or the like to a DVD-Video player may be used*) **supported by the media player (Tsumagari, ¶0012, ¶0065-¶0066)**

6. Claims **4, 53** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kanazawa et al.**, in view of **Tsumagari et al.**; further in view of US Pub. No. 2002/0181356 A1 published by **Watanade et al.**

Regarding to claims 4, 53: In the method of claim 2, Kanazawa and Tsumagari are silent with respect to claim **wherein the start-up file comprises information associated with a right to reproduce the data recorded on the storage medium; information associated with a region code.**

In an analogous art directed toward a similar problem namely improving the results from **information associated with a region code.**

Watanabe teaches **a regional code** system for protecting a "playright", i.e., **a right to** play movie information recorded on a disc), (Watanabe, ¶0227 to ¶0228) meets the limitation of claim **"information associated with a right to reproduce the data recorded on the storage medium; information associated with a region code"**.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify *the connection information is included in a start-up file of Kanazawa and the start-up file is read and preloading the start-up file prior to the reproducing of the data recorded on the storage medium of Tsumagari with a right to reproduce the information associated with a region code recorded on the storage medium* as taught by Watanabe; in order to establish reproduction compatibility or recording compatibility, it is necessary to develop software for the CPU to control region code where the type of optical discs used. (¶0009)

Response to Arguments

7. Applicant's arguments, see Remark, filed 05/08/2009, with respect to the rejection(s) of claim(s) 1 and 50 under rejection is made in view of Otsuka and Martin have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Kanazawa** et al., Tsumagari et al.; further in view of Watanade et al.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN LUONG whose telephone number is (571)270-5091. The examiner can normally be reached on Mon.-Thurs., 8:00am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/ALAN LUONG/

Examiner, Art Unit 2427

/Scott Beliveau/

Supervisory Patent Examiner, Art Unit 2427